

EXHIBIT 4

FILED UNDER SEAL

Contains Highly Confidential AEO and Source Code Materials

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE LLC,

Plaintiff

v.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA
Related to CASE NO. 3:21-cv-07559-WHA

**OPENING EXPERT REPORT OF DR. DAN SCHONFELD REGARDING U.S. PATENT
NO. 10,848,885 AND U.S. PATENT NO. 10,469,966**

Contains Highly Confidential AEO and Source Code Materials

of the '885 and '966 patents. Based on my current understanding of Sonos's infringement contentions and my review of the evidence in this case, including documents, deposition testimony and source code, it is my opinion that additional non-infringing alternatives were available at the time of the alleged first infringement (and are still available today).

1100. I have reviewed Google's interrogatory response to Sonos's interrogatory number 18 and I incorporate that disclosure herein. In my opinion, the alternatives disclosed by Google are appropriate. Below I describe those alternatives.

Alternative #1 – [REDACTED]

1101. I describe Alternative #1, [REDACTED]

[REDACTED]

[REDACTED] The alternative is a non-infringing alternative for the Accused Instrumentalities to the asserted claims.

1102. Claim 1 of the '885 patent is exemplary. Claim 1 includes limitations that require the zone player to be added to two different zone scenes: "(i) receiving, from a network device over a data network, a first indication that the first zone player has been added to a first zone scene comprising a first predefined grouping of zone players including at least the first zone player and a second zone player that are to be configured for synchronous playback of media when the first zone scene is invoked" and "(ii) receiving, from the network device over the data network, a second indication that the first zone player has been added to a second zone scene comprising a second predefined grouping of zone players including at least the first zone player and a third zone player that are to be configured for synchronous playback of media when the second zone scene is invoked, wherein the second zone player is different than the third zone player." The claim then requires that "after receiving the first and second indications, continuing to operate in the standalone mode until a given one of the first and second zone scenes has been selected for

Contains Highly Confidential AEO and Source Code Materials

invocation.”

1103.

[REDACTED]

1104.

[REDACTED]

1105.

[REDACTED]

[REDACTED]

Contains Highly Confidential AEO and Source Code Materials

[REDACTED]

1106. [REDACTED]

[REDACTED]

[REDACTED]

Alternative #2 – [REDACTED]

1107. I also describe an Alternative #2. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1108. This is a requirement of the asserted claims. For example, claim 1 of the '885 patent requires that the zone player “receiv[es], from a network device over a data network, a first indication that the first zone player has been added to a first zone scene” and that the zone player “receiv[es], from the network device over the data network, a second indication that the first zone player has been added to a second zone scene.” “[A]fter receiving the first and second indications, [the zone player] continu[es] to operate in the standalone mode until a given one of the first and second zone scenes has been selected for invocation.” Similarly, claim 1 of the '966 patent requires a “first request to create a first zone scene comprising a first predefined grouping of zone players including at least the first zone player” and a “second request to create a second zone scene comprising a second predefined grouping of zone players including at least the first zone player.” Claim 1 of the '966 patent also requires “while displaying the representation of the first zone scene and the representation of the second zone scene, receiving a third request to invoke the first zone scene.” These representative claims (for this limited purpose) show that the asserted claims require [REDACTED] described above.

1109. Sonos’s expert Dr. Almeroth has opined that this is the case. For example, Dr.

Contains Highly Confidential AEO and Source Code Materials

I, Dan Schonfeld, declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

A handwritten signature in black ink that reads "Dan Schonfeld". The signature is written in a cursive style, with the first name "Dan" and the last name "Schonfeld" clearly legible. The signature ends with a large, circular flourish.

DATED: November 30, 2022

Dan Schonfeld, Ph.D